

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MAVERICK WHISKEY, LLC,

Plaintiff,

vs.

BREWERY ON HALF MOON BAY,
INC.,

Defendant.

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SA-19-CV-00136-JKP

ORDER

Before the Court in the above-styled cause of action is Plaintiff's Motion to Compel Discovery and Determine Sufficiency of Answers to Requests for Admission [#67], which was referred to the undersigned on March 27, 2020 [#71]. The record reflects that on that same day, the District Court adopted the undersigned's report and recommendation on Defendant's motion to dismiss for lack of personal jurisdiction. The District Court's order held that Plaintiff did not properly serve Defendant and Plaintiff failed to establish a prima facie case of personal jurisdiction over Defendant and therefore the District Court granted the motion to dismiss. However, the District Court indicated that it would stay entry of final judgment in this case until the undersigned resolves the parties' pending dispute regarding the limited jurisdictional discovery previously ordered by the Court.

The undersigned interprets the District Court's order as mooted the relief requested in Plaintiff's motion to compel discovery. If either party disagrees with this interpretation, the party should file a brief advisory with the Court explaining the reasons the Court should entertain the discovery dispute, or any portion of it, despite the District Court's Order granting

Defendant's motion to dismiss. If any party does not file an advisory by April 8, 2020, the Court will assume that party's position is that the discovery dispute is now moot.

IT IS THEREFORE ORDERED that the parties file an advisory with the Court **on or before April 8, 2020** indicating which, if any, issues remain outstanding after the District Court's Order that require a hearing or ruling from the Court and the legal and factual basis for that position.

SIGNED this 1st day of April, 2020.



ELIZABETH S. ("BETSY") CHESTNEY
UNITED STATES MAGISTRATE JUDGE